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Ultimate Fighting Championship and UFC
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17 **UNITED STATES DISTRICT COURT**

18 **DISTRICT OF NEVADA**

19 Cung Le, Nathan Mr. Quarry, Jon Fitch, Brandon
20 Vera, Luis Javier Vazquez, and Kyle Kingsbury,
on behalf of themselves and all others similarly
21 situated,

22 Plaintiffs,

23 v.

24 Zuffa, LLC, d/b/a Ultimate Fighting
Championship and UFC,

25 Defendant
26
27
28

No.: 2:15-cv-01045-RFB-(PAL)

**DECLARATION OF STACEY K.
GRIGSBY IN SUPPORT OF ZUFFA,
LLC'S MOTION TO SEAL
PORTIONS OF PLAINTIFFS'
MOTION TO COMPEL
DEFENDANT TO PRODUCE A LOG
OF COMMUNICATIONS FOR DANA
WHITE'S DISCOVERABLE
TELEPHONE NUMBERS AND
ELECTRONIC COMMUNICATION
DEVICES AND DIRECTING
DEFENDANT TO SUBMIT AN
INVENTORY OF ELECTRONIC
COMMUNICATION DEVICES AND
RELATED DOCUMENTS (ECF No.
396)**

1 I, Stacey K. Grigsby, declare as follows:

2 1. I am over 21 years old and have personal knowledge of the information in this
3 declaration. I am a member in good standing of the bars of the District of Columbia and the state of
4 New York. I am admitted pro hac vice to practice before this Court. I am a partner in the law firm
5 Boies Schiller Flexner LLP, counsel for Zuffa, LLC (“Zuffa”) in the above captioned action in the
6 U.S. District Court for the District of Nevada, *Le et al. v. Zuffa, LLC*, No. 2:15-cv-01045-RFP-PAL.

7 2. Except where otherwise stated, based on my review of the files, records, and
8 communications in this case, I have personal knowledge of the facts set forth in this Declaration and,
9 if called to testify, could and would testify competently to those facts under oath.

10 3. I make this declaration in support of Zuffa’s Motion to Seal Portions of Plaintiffs’
11 Motion to Compel Defendant to Produce a Log of Communications for Dana White’s Discoverable
12 Telephone Numbers and Electronic Communication Devices and Directing Defendant to Submit an
13 Inventory of Electronic Communication Devices and Related Documents (ECF No. 396) (“Motion to
14 Seal”).

15 4. Zuffa seeks to seal limited portions of Plaintiffs’ Motion to Compel Defendant to
16 Produce a Log of Communications for Dana White’s Discoverable Telephone Numbers and
17 Electronic Communication Devices and Directing Defendant to Submit an Inventory of Electronic
18 Communication Devices (ECF No. 396) (“Motion to Compel”).

19 5. Zuffa also seeks to seal certain exhibits or portions of certain exhibits attached to the
20 Motion to Compel.

21 6. Federal Rule of Civil Procedure 26(c) provides that the Court may “issue an order to
22 protect a party of person from annoyance, embarrassment, oppression or undue burden or expense”
23 by “requiring that a trade secret or other confidential research, development, or commercial
24 information not be revealed or be revealed only in a specific way.” Documents filed in connection
25 with a non-dispositive motion like the Motion to Compel may be sealed if the party seeking to seal
26 the documents makes a “particularized showing” under the “good cause” standard of Rule 26(c).
27 *Kamakana v. City & Cty. of Honolulu*, 447 F.3d 1172, 1180 (9th Cir. 2006) (citation and internal
28 quotation marks omitted).

1 7. I understand that as a private company, Zuffa does not publicly disclose information
2 relating to profitability, revenue, and other related information. I also understand that Zuffa
3 zealously guards its private profitability, revenue, and related information and that disclosure of that
4 information would very likely provide competitors with insights they could use to gain damaging
5 and unfair competitive advantages over Zuffa.

6 8. I further understand that Zuffa has a policy of not disclosing the precise contractual
7 offers it makes to athletes during negotiations and does not disclose the final terms of its confidential
8 contracts with athletes. I also understand that Zuffa, as a private company, does not disclose
9 information regarding athlete compensation, except where required by law or athletic commission
10 rule.

11 9. Exhibit 1 to this declaration is a true and correct copy of Exhibit 1 to Plaintiffs'
12 Memorandum of Law with redactions added.

13 10. Exhibit 2 to this declaration is a true and correct copy of Exhibit 2 to Plaintiffs'
14 Memorandum of Law with redactions added.

15 11. Exhibit 3 to this declaration is a true and correct copy of Exhibit 3 to Plaintiffs'
16 Memorandum of Law with redactions added.

17 12. Exhibit 4 to this declaration is a true and correct copy of Exhibit 4 to Plaintiffs'
18 Memorandum of Law with redactions added.

19 13. Exhibit 7 to this declaration is a true and correct copy of Exhibit 7 to Plaintiffs'
20 Memorandum of Law with redactions added.

21 14. Exhibit 8 to this declaration is a true and correct copy of Exhibit 8 to Plaintiffs'
22 Memorandum of Law with redactions added.

23 15. Exhibit 15 to this declaration is a true and correct copy of Exhibit 15 to Plaintiffs'
24 Memorandum of Law in Support Plaintiffs' Motion to Compel Defendant to Produce a Log of
25 Communications for Dana White's Discoverable Telephone Numbers and Electronic
26 Communication Devices and Directing Defendant to Submit an Inventory of Electronic
27 Communication Devices ("Memorandum of Law") with redactions added.
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16. Exhibit 18 to this declaration is a true and correct copy of Exhibit 18 to Plaintiffs' Memorandum of Law with redactions added.

17. Exhibit 19 to this declaration is a true and correct copy of Exhibit 19 to Plaintiffs' Memorandum of Law with redactions added.

18. Exhibit 22 to this declaration is a true and correct copy of Exhibit 22 to Plaintiffs' Memorandum of Law with redactions added.

19. Exhibit 23 to this declaration is a true and correct copy of Exhibit 23 to Plaintiffs' Memorandum of Law with redactions added.

20. Exhibit 26 to this declaration is a true and correct copy of Exhibit 26 to Plaintiffs' Memorandum of Law with redactions added.

21. Exhibit 28 to this declaration is a true and correct copy of Exhibit 28 to Plaintiffs' Memorandum of Law with redactions added.

22. Exhibit 30 to this declaration is a true and correct copy of Exhibit 30 to Plaintiffs' Memorandum of Law with redactions added.

23. Exhibit 36 to this declaration is a true and correct copy of Exhibit 36 to Plaintiffs' Memorandum of Law with redactions added.

I declare under penalty of perjury under the laws of the United States of America that the foregoing facts are true and correct. Executed this 15th day of May, 2017, in Washington, DC.

/s/ Stacey K. Grigsby
Stacey K. Grigsby